

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹
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ORDER DENYING MOTION FOR LEAVE TO FILE POSITION AS AMICUS CURIAE BY THE
OFFICE OF THE COURTS ADMINISTRATION OF THE COMMONWEALTH OF PUERTO RICO

The Court has received and reviewed the *Motion for Leave to File Legal Brief as Amicus Curiae by the Office of the Courts Administration of the Commonwealth of Puerto Rico* (Docket Entry No. 19618 in Case No. 17-3283, the “Motion”)² filed by the Office of the Courts Administration of the Commonwealth of Puerto Rico (“OAT”). The Motion seeks leave to file a supplemental amicus brief in response to *Modified Eighth Amended Title III Plan of Adjustment of the Commonwealth of Puerto Rico* (Docket Entry No. 19365, as amended, the “Modified Plan of Adjustment”) and the *Motion Submitting Corrected Response of the Financial Oversight and Management Board in Accordance with Order Regarding Certain Aspects of Motion for Confirmation of Modified Eight Amended Title III Joint Plan of Adjustment of the*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Unless otherwise specified, all docket entry references in the Order are to entries in Case No. 17-3283.

Commonwealth of Puerto Rico, et al. (Docket Entry No. 19574, the “Oversight Board Response”).

In the First Circuit, the acceptance of amicus briefs is within the sound discretion of the court. Strasser v. Doorley, 432 F.2d 567, 569 (1st Cir. 1970). Absent joint consent of the parties, a district court “should go slow in accepting, and even slower in inviting, an amicus brief unless, . . . a party . . . has a special interest that justifies his having a say, or unless the court feels that existing counsel may need supplementing assistance.” Id.

The Court previously granted OAT leave to file an amicus brief in relation to the *Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (Docket Entry No. 17627), and the *Disclosure Statement for the Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (Docket Entry No. 17628). (See Docket Entry No. 18336.) Here, OAT has not demonstrated a special and particularized interest in any specific amendment to the Modified Plan of Adjustment or statement in the Oversight Board Response that justifies the filing of a supplemental amicus brief. Additionally, the Motion does not include the Debtors’ consent to OAT’s submission of a supplemental amicus brief. Accordingly, the Motion is denied.

This Order resolves Docket Entry No. 19618.

SO ORDERED.

Dated: December 29, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge